

Exhibit 7

REDACTED

DANA PIERMARINI Confidential
MOUSSOURIS vs. MICROSOFT

June 09, 2016

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KATHERINE MOUSSOURIS, HOLLY
MUENCHOW, and DANA PIERMARINI,
on behalf of themselves and a
class of those similarly
situated,

Plaintiffs,

vs.

Case No. 2:15-cv-01483-JLR

MICROSOFT CORPORATION,

Defendant.

** CONTAINS CONFIDENTIAL PORTIONS **

VIDEOTAPED DEPOSITION UPON ORAL EXAMINATION
OF
DANA PIERMARINI

DATE: June 9, 2016

REPORTED BY: Holly J. Buckmaster, RPR

CSR No. 2859



1 Q. Do you recall describing Microsoft to anyone as a
2 much more positive working environment for women than
3 Oracle?

4 A. I said that Microsoft had a better maternity leave
5 policy than Oracle.

6 Q. Did you say to anyone that you were undervalued at
7 Oracle?

8 A. Not that I recall.

9 Q. How did you come to leave Oracle?

10 A. An opportunity at Microsoft came about.

11 Q. And how did you learn of the opportunity?

12 A. From Nina Somerville.

13 Q. And before you left Oracle, do you recall having
14 conflicts with your supervisor over what your
15 performance was in your view versus your supervisor's
16 view?

17 MS. MIAZAD: Objection.

18 You can answer.

19 THE WITNESS: I don't recall.

20 Q. (BY MS. HERMLE) Was there any time period between --
21 strike that.

22 So did you quit your employment at Oracle to
23 take a job at Microsoft?

24 A. I did.

25 Q. And did you know Nina?

1 A. I did.

2 Q. How did you --

3 A. I do.

4 Q. Sorry?

5 A. I do.

6 Q. How did you come to know Nina when you learned of the
7 Microsoft opportunity through her?

8 A. I worked with Nina at Oracle.

9 Q. And what did Nina convey to you when telling you
10 about the Microsoft opportunity?

11 A. That it was a good opportunity.

12 Q. And did she say anything else about the opportunity?

13 A. I don't remember.

14 Q. Did Nina Somerville convey to you that she believed
15 Microsoft was a better place for women to work than
16 Oracle had been?

17 A. I don't remember.

18 Q. When you said that Microsoft had better maternity
19 leave policies than Oracle, what did you mean?

20 A. The maternity leave was longer than Oracle's
21 maternity leave.

22 Q. Was that a factor that you considered in joining
23 Microsoft?

24 A. Yes.

25 Q. Why did that matter to you?

1 A. 1976. I believe I would have been 30 years old.

2 Q. All right. Let me take you through -- well, when did
3 your husband join Microsoft, before we leave that
4 point -- roughly?

5 A. I don't recall the exact date, but it was shortly
6 after I joined.

7 Q. Okay. And at the time [REDACTED] joined
8 Microsoft, to whom was he reporting?

9 A. I don't recall that manager's name.

10 Q. Okay. So I'm going to take you now through a
11 chronology generally of time at Microsoft and you can
12 tell me an estimate if you don't know the specific
13 date and that would be fine.

14 Is it correct that you joined Microsoft in
15 September of 2006?

16 A. That is correct.

17 Q. And at the time you were hired by Microsoft, you were
18 a level 62?

19 A. That is correct.

20 Q. And what was the difference between the salary that
21 you were paid and the salary that you tried to
22 negotiate?

23 A. I don't recall.

24 Q. Is it correct that your initial salary was
25 approximately \$99,000?

1 correct?

2 A. I would say it was late summer/fall.

3 Q. Okay. And so the first review that you would have
4 had from Mr. Carlsen, which was an "achieved" rating,
5 was in the late summer or fall of 2007?

6 A. That's likely but I can't say for sure.

7 Q. And the first year of your employment with Microsoft,
8 you did not take any maternity leaves; is that
9 correct?

10 A. Correct.

11 Q. Do you have a general recollection that from your
12 first review from Mr. Carlsen, you had a merit
13 increase and a bonus?

14 A. I believe so. With an "achieved" rating, I believe I
15 would have gotten a merit increase and a bonus.

16 Q. And was that initial review from Mr. Carlsen, and the
17 merit increase and bonus you received as a result of
18 it, discriminatory in any way?

19 MS. MIAZAD: Objection.

20 THE WITNESS: I don't know.

21 Q. (BY MS. HERMLE) Do you have any facts that suggest
22 that the "achieved" rating you received from
23 Mr. Carlsen was in any way based on your gender?

24 MS. MIAZAD: Objection.

25 THE WITNESS: I don't know.

1 Q. (BY MS. HERMLE) Do you have any facts that suggest
2 that the compensation you received in the fall of --
3 or late summer of 2007 was based on your gender in any
4 way?

5 MS. MIAZAD: Objection.

6 THE WITNESS: I don't know.

7 Q. (BY MS. HERMLE) Is it correct that in the next year,
8 2008, you received your first promotion at Microsoft?

9 A. I can't recall the exact year.

10 Q. Let me see if I can help. Do you recall being eight
11 or nine months pregnant when you were first promoted?

12 A. I would have been pregnant in 2008.

13 Q. Do you have a recollection that you were promoted at
14 about the same time you began your first maternity
15 leave at Microsoft, the end of 2008?

16 A. I began my first maternity leave on December 31st,
17 2008.

18 Q. And do you have a recollection that that was the
19 month in which you were first promoted to a level 63?

20 A. I don't remember.

21 Q. Do you have a different recollection than that, in
22 other words, do you simply not remember or you believe
23 you were promoted not in December of 2008?

24 A. I simply don't remember.

25 Q. Okay. Is it correct that you took approximately a

1 three-month paid maternity leave for that first birth?

2 A. Yes.

3 Q. And you -- you returned to work in late March of
4 2009? That would be January, February and March of
5 2009.

6 A. I believe I may have used vacation after the official
7 maternity leave, so I may have returned to work a
8 little later than that.

9 Q. Would that have been in April or May of 2009?

10 A. That time frame sounds familiar but I can't say for
11 sure.

12 Q. Okay. And just for purposes of chronology, your
13 first child is named what?

14 A. [REDACTED].

15 Q. [REDACTED], okay, so after [REDACTED] birth, was that in
16 early 2009?

17 A. His birth?

18 Q. Yes.

19 A. He was born on December 31st, 2008.

20 Q. Okay. And then after his birth, you were out roughly
21 somewhere between three to five months and then
22 returned in the early summer of 2009; is that correct?

23 A. I believe it was the spring --

24 Q. Okay.

25 A. -- of 2009.

1 Q. So in 2009, when you returned from the first
2 maternity leave, do you recall receiving an "achieved"
3 rating in your performance review?

4 A. I knew that I did not receive the lowest rating.

5 Q. Is it correct that there were three ratings at that
6 time, "exceeded," "achieved" and --

7 A. And "underachieved."

8 Q. -- or not achieved or underachieved; is that correct?

9 A. Yes.

10 Q. And so you have a recollection of either the
11 "achieved" or the "exceeded," correct?

12 A. Correct.

13 Q. And do you have a recollection of getting a bonus of
14 approximately \$14,000 in that September time frame
15 when you returned from mater -- the first maternity
16 leave?

17 A. I don't recall.

18 Q. Okay. Was your first maternity leave fully paid?

19 A. Yes.

20 Q. And then you added paid vacation time on top of that
21 to take more time?

22 A. I believe so.

23 Q. And was the matern -- the paid maternity leave
24 portion roughly three months?

25 A. Yes. It's broken up. The one month is called

1 Q. So after [REDACTED] birth on August 17, 2010, did you
2 stay out on maternity leave through late November of
3 2010? Again, roughly three months.

4 A. It was in November. I'm not sure at what point in
5 November.

6 Q. Okay. I show November 18th, but if you have a
7 different recollection, I would love to hear about it.

8 A. I don't recall the exact date in November.

9 Q. Do you recall coming back before or after
10 Thanksgiving, in other words, did you add on
11 additional vacation to your leave, if you recall?

12 A. I don't recall.

13 Q. While you were out on the second maternity leave for
14 [REDACTED] birth, did you receive a review in the late
15 fall of 2010?

16 A. The review periods and time frames have changed over
17 the years, so I don't recall if at that time we were
18 getting reviews in the late fall.

19 Q. Do you have a recollection that while you were out on
20 your second maternity leave, you received a positive
21 per -- performance review from Mr. Vasquez?

22 A. Javier Vasquez consistently gave me good performance
23 reviews.

24 Q. Before we get into those, was there anything about
25 2008, the year in which you were promoted, that was

1 discriminatory based on your gender?

2 MS. MIAZAD: Objection.

3 Q. (BY MS. HERMLE) That is completely overbroad and it's
4 not what I meant to ask you. Was there anything in
5 your compensation treatment in 2008 that was in your
6 view discriminatory based on your gender?

7 A. I don't know.

8 Q. Are you aware of any facts that suggest your
9 compensation treatment in 2008 was based on your
10 gender?

11 MS. MIAZAD: Objection.

12 THE WITNESS: I don't know.

13 Q. (BY MS. HERMLE) When did Mr. Vasquez first become
14 your supervisor, was it in 2009?

15 A. I don't recall the exact year.

16 Q. You said Mr. Vasquez consistently gave you positive
17 performance reviews. Did Mr. Vasquez do anything to
18 you that you consider to be discriminatory based on
19 your gender?

20 MS. MIAZAD: Objection.

21 THE WITNESS: Mr. Vasquez did not do anything
22 discriminatory. However, when I asked for a promotion
23 in 2010, he said that he put me up for a promotion and
24 that that -- it was -- it went to Curt Colcun and Curt
25 Colcun decided to deny me the promotion to see what I

1 Q. And so this would have been -- your return was, you
2 told me, in November of 2010, so this would have been
3 a promotion you wanted to level 64?

4 A. Yes.

5 Q. And you'd been a level 63 for approximately two years
6 at that time; is that correct?

7 A. I don't recall those exact dates.

8 Q. And had you done anything to indicate your desire for
9 promotion before Mr. Vasquez told you that he had put
10 you up and heard this in response?

11 A. I don't recall.

12 Q. So this second maternity leave from Microsoft, you
13 told me, ended in approximately November of 2010, so
14 the next evaluation cycle would have been the fall of
15 2011; is that correct?

16 A. Can you rephrase the question?

17 Q. Yes. Is it correct that about seven months after you
18 came back from your second maternity leave you were
19 promoted to level 64?

20 A. I'm not sure of the dates.

21 Q. Do you have a recollection of your second promotion
22 have -- happening on a different time than September
23 of 2011?

24 A. I was promoted in 2011 to a 64.

25 Q. And did it happen approximately six to seven months

1 after you returned from your second maternity leave?

2 A. I don't know if that's the correct number of months.

3 Q. Do you have a different recollection than that?

4 A. I don't remember.

5 Q. In 2011, you have a recollection that Microsoft was
6 using performance reviews that assigned numbers to
7 overall ratings?

8 A. Yes.

9 Q. And that was the first time that had happened in your
10 experience at Microsoft?

11 A. I don't remember if that was the first or second
12 time.

13 Q. All right. Do you remember getting "achieved"
14 reviews each year until the first year you got a
15 numerical review at Microsoft? Is that question clear
16 to you, because I can rephrase it if it isn't?

17 A. That would be great.

18 Q. Okay. So do you have a recollection that before
19 Microsoft went to the numerical overall rating, you
20 had ach -- you had achieved -- let me start that
21 again.

22 Do you have a recollection that before
23 Microsoft assigned a numerical rating to performance
24 reviews, you had been given an "achieved" rating each
25 year?

1 have returned from your second maternity leave; is
2 that correct, with [REDACTED] ?

3 MS. MIAZAD: Objection.

4 MS. HERMLE: Did I get that wrong?

5 MS. MIAZAD: I think you said 2011, coming
6 back in 2011.

7 MS. HERMLE: Right. That's what I -- oh, oh,
8 I see what you're saying.

9 MS. MIAZAD: Uh-huh.

10 Q. (BY MS. HERMLE) So [REDACTED] was born in August of 2010
11 and you believed you returned in November. You may
12 have taken some additional vacation, but you think you
13 returned before the end of the year in 2010, correct?

14 A. Yes.

15 Q. And so the next review cycle after your return would
16 have been the review cycle in 2011, correct?

17 A. Again, the -- the periods that we had reviews has
18 changed over the years, so I don't know if it was the
19 midyear or --

20 Q. That's why I phrased the question I did because I can
21 tell you're not sure about that, but regardless, after
22 you returned from the maternity leave in late 2010,
23 the next review cycle would have been the one in 2011,
24 regardless of what time in 2011, correct?

25 A. Yes.

1 Q. And in the review cycle in 2011, did Mr. Vasquez give
2 you a No. 1 rating?

3 A. In 2011, I did get a 1 rating.

4 Q. Did you have an understanding that Microsoft was
5 using the calibration process for reviews in 2011?

6 A. That's the way I understood it.

7 Q. Did you have any understanding as to whether you went
8 into the calibration process as a No. 1 or a lower
9 number?

10 A. That year my team, the productivity team had achieved
11 significantly higher than any of the other teams in
12 the STU, meaning we had sold more against our quota
13 than any other team in the STU. From what I heard,
14 the 1s were initially given to other people outside of
15 my team by Lance Horne, and apparently someone stepped
16 in and said that that is too outlandish, those are my
17 words, and that they took those 1s away from the
18 people that didn't achieve at least 100 percent and
19 they gave them to the people on my team who had
20 achieved 10,000 percent.

21 Q. Did you have an understanding as to what your rating
22 was going into the calibration process before you
23 became a 1 in 2011?

24 A. I don't know.

25 Q. So to summarize that, you have an understanding that

1 A. Yes.

2 Q. And he was reporting to whom?

3 A. Lance Horne.

4 Q. And Lance Horne was reporting to whom?

5 MS. MIAZAD: Objection.

6 THE WITNESS: I don't recall.

7 Q. (BY MS. HERMLE) Is it correct, Ms. Piermarini, that
8 you've never attended a calibration meeting?

9 A. That is correct.

10 Q. And you haven't had training on how to perform
11 calibration; is that correct?

12 A. That is correct.

13 Q. Your role's an individual contributor role at
14 Microsoft?

15 A. Yes.

16 Q. Meaning you don't actually supervise other employees;
17 is that correct?

18 A. Correct.

19 Q. Did you receive from Microsoft writings about how the
20 calibration process would work?

21 A. Not that I recall.

22 MS. HERMLE: Do you want to take a short
23 midmorning break?

24 MS. MIAZAD: Sure.

25 THE VIDEOGRAPHER: The time is 10:41 a.m.

1 This is the end of disk 1. We're now off the record.

2 (A break was taken.)

3 THE VIDEOGRAPHER: The time is 10:54 a.m.

4 This is the beginning of disk 2, deposition of Dana
5 Piermarini, we're now on the record.

6 Q. (BY MS. HERMLE) Ms. Piermarini, you understood that
7 throughout day you continue to be subject to the same
8 rules we spoke about this morning, in other words,
9 you're testifying under oath and under penalty of
10 perjury?

11 A. Yes.

12 Q. And it continues to be very important that your
13 testimony be truthful, complete and accurate?

14 A. Yes.

15 Q. Okay. So we talked about 2011, when you received a
16 promotion and a No. 1 final rating in your performance
17 review, do you have a general recollection of getting
18 a bonus that was a 25 percent bonus?

19 A. I believe so, that year, with a No. 1 rating.

20 Q. Generally the compensation treatment would be
21 impacted by the performance review, correct?

22 MS. MIAZAD: Objection.

23 THE WITNESS: Could you rephrase the
24 question?

25 Q. (BY MS. HERMLE) Yes.

1 Q. So let me take you back to your own chronology. You
2 told us that in 2011 you were promoted to a level 64,
3 you received a No. 1 rating after the calibration
4 review and your supervisor was Javier Vasquez.

5 A. Uh-huh.

6 Q. In 2012, did you get a 2 rating?

7 A. Yes, that sounds right.

8 Q. And did you get a positive review from Greg Myers in
9 the review cycle in 2011?

10 MS. MIAZAD: Objection.

11 Q. (BY MS. HERMLE) I'm sorry, 2012.

12 A. I thought that it was positive.

13 Q. Do you recall receiving a 21 percent reward bonus
14 amount of over \$27,000 in that compensation cycle?

15 A. I do believe that was correct.

16 Q. Do you have any knowledge as to whether you went into
17 the calibration meetings with a 2 rating or a lower or
18 higher rating?

19 A. I don't know.

20 Q. Did you believe that the 2 rating you ultimately
21 received was discriminatory in any way?

22 MS. MIAZAD: Objection.

23 THE WITNESS: I don't know. I wasn't privy
24 to the calibration discussions.

25 Q. (BY MS. HERMLE) Were you aware of whether the

1 THE WITNESS: Well, the calibration process
2 and even the fact that there is calibration isn't --
3 or wasn't necessarily described in detail to the
4 individual contributors.

5 Q. (BY MS. HERMLE) Did you receive from Microsoft offers
6 to attend meetings in which the process would be
7 described?

8 A. Are you referring to the calibration process?

9 Q. Yes.

10 A. I don't remember.

11 Q. Okay. When Microsoft first began the calibration
12 process, were you invited to meetings in which the
13 process was described?

14 MS. MIAZAD: Objection.

15 THE WITNESS: I don't recall. It was my
16 understanding we weren't really supposed to know about
17 it.

18 Q. (BY MS. HERMLE) Based on what?

19 A. I just assumed it was a manager thing.

20 Q. What did you base that understanding on?

21 A. It seemed that when you would hear anything about
22 calibration, it was not in a large forum.

23 Q. Let's go back to your chronology, Ms. Piermarini.
24 You were telling me that you got a positive review in
25 2012 and I can't remember if you told me that you

1 recalled the reward bonus amount being over \$27,000,
2 but do you?

3 A. I don't recall the bonus number.

4 Q. Do you remember it was the largest bonus you'd
5 received to-date from Microsoft in 2012?

6 A. I don't recall.

7 Q. In 2012, when you got the 2 rating and the positive
8 review, were you pregnant with your third child?

9 A. What was the date, I'm sorry?

10 Q. In 2012, when you got your reviews, which I believe
11 was in the fall of 2012, but I know you're not sure
12 about that, so let me start with that.

13 Do you have a general recollection that the
14 2012 reviews would have been in September of 2012 or
15 thereabouts?

16 A. I don't recall exactly when the review was but I was
17 pregnant in September of 2012.

18 Q. Okay. And did you go on maternity leave on October
19 24th of 2012?

20 A. Yes.

21 Q. All right. And was that the date your child was
22 born, your third child?

23 A. Yes.

24 Q. You really like to push that, don't you?

25 A. My water broke.

1 giving you your review in 2012?

2 A. Because we didn't have a manager at the time.

3 Q. During the period in which you didn't have a manager
4 in 2012, did you encourage David Walker to take the
5 manager position?

6 A. I don't know of the specific time that I had
7 encouraged David Walker to take a manager position,
8 but there was a time that I encouraged David Walker to
9 take the position. When he was my counterpart, we had
10 a decent working relationship.

11 Q. And when you say there was a time in which you
12 encouraged David Walker to take the position, do you
13 mean the manager position to which you reported?

14 A. I don't remember.

15 Q. What do you recall Mr. Myers communicating to you
16 about the performance review?

17 A. It wasn't a long conversation.

18 Q. Do you recall that he was positive about what you had
19 achieved that year?

20 A. Yes.

21 Q. Do you recall any of the things he said about what
22 you'd achieved that year?

23 A. I believe he thanked me for the work that I did on
24 the Army EA renewal.

25 Q. Do you remember anything else about the conversation?

1 Q. (BY MS. HERMLE) In 2012, when you received the
2 \$27,000 bonus and the 2 rating from Mr. Myers, was
3 there anything about that that you considered to be
4 discriminatory?

5 MS. MIAZAD: Objection.

6 THE WITNESS: I don't know.

7 Q. (BY MS. HERMLE) Was there anything about the
8 compensation treatment you received in 2012 that you
9 believe was related to your gender?

10 MS. MIAZAD: Objection.

11 THE WITNESS: I don't know.

12 Q. (BY MS. HERMLE) Are you aware of any facts that
13 suggest that the 2012 compensation was based on or
14 related to your gender?

15 MS. MIAZAD: Objection.

16 THE WITNESS: Could you repeat the question?

17 MS. HERMLE: Yeah.

18 Could you read it back, please.

19 (Question read.)

20 THE WITNESS: I don't know.

21 Q. (BY MS. HERMLE) After [REDACTED] was born on October 24th,
22 2012, did you take maternity leave until a date in
23 March of 2013?

24 A. I don't recall the date that I came back.

25 Q. Do you recall it was in the spring of 2013?

1 reward bonus rating?

2 A. That sounds right.

3 Q. And what's your current salary?

4 A. I can't tell you the exact number.

5 Q. What's your best estimate of your salary?

6 A. My current base salary?

7 Q. Yes.

8 A. In the 130 range.

9 Q. Are you sure?

10 A. My base?

11 Q. Yes.

12 A. 130,000.

13 Q. Okay.

14 A. Range.

15 Q. All right. The rating you received from Ms. Sandidge
16 in 2013, was that based on your gender in any way, in
17 your view?

18 MS. MIAZAD: Objection.

19 THE WITNESS: I don't know.

20 Q. (BY MS. HERMLE) Are you aware of any facts that
21 suggested -- that suggest that your 2013 rating of a 2
22 and the compensation treatment you received was based
23 on your gender or discriminatory?

24 MS. MIAZAD: Objection.

25 THE WITNESS: I don't know.

1 discriminatory?

2 A. I don't know.

3 Q. In 2014, Mr. Walker was responsible for your review;
4 is that correct?

5 A. Mr. Walker became my manager after Noah.

6 Q. Did he give you your review in 2014?

7 A. I believe so.

8 Q. Was it an on-track positive review in 2014?

9 A. That sound -- the initial ones, that sounds right.

10 Q. Did you get a -- a bonus that year of over \$24,000?

11 A. I don't recall the bonus number but I believe I
12 reported to Noah and David Walker --

13 Q. Okay.

14 A. -- so it was split during that year.

15 Q. The compensation treatment, the bonus and salary
16 treatment of 2014 during the year that you reported to
17 Mr. Walker and Ms. Sandidge, was that treatment
18 discriminatory in any way in your view?

19 MS. MIAZAD: Objection.

20 THE WITNESS: I don't know.

21 Q. (BY MS. HERMLE) Are you aware of any facts that
22 suggest your compensation treatment in 2014 was based
23 on or related to your gender?

24 A. I don't know.

25 Q. In the fall of 2013, you had a five-year-old, a

1 three-year-old and a one-year-old child?

2 A. Fall of 2013?

3 Q. Yes.

4 A. That sounds right.

5 Q. And did your husband work full time?

6 A. Yes.

7 Q. And did he travel for work?

8 A. In 2013.

9 Q. I'm asking about 2014.

10 A. 2014?

11 Q. Yes.

12 A. Yes, I believe he traveled in 2014.

13 Q. In 2015, was David Walker your manager?

14 A. Yes.

15 Q. In that year, did you receive an on-track review?

16 A. Can you explain what you mean by "an on-track
17 review"?

18 Q. Well, let me ask you this way. In the compensation
19 treatment you received in 2015 while Mr. Walker was
20 your manager, did you receive a merit increase and
21 bonus?

22 A. In 2015?

23 Q. Correct.

24 A. There was a year that no one got merit increases
25 across the board and I don't recall what year that

1 was.

2 Q. Do you remember -- so you don't know whether that was
3 2015 or not?

4 A. I don't.

5 Q. What was your understanding of the reason for no
6 merit increases across the board in the year that it
7 happened?

8 A. I don't recall.

9 Q. But you understood it applied to your whole team?

10 A. That's what I was told.

11 Q. Who told you that?

12 A. Mr. Walker.

13 Q. In 2015, at the end of the year, did you take a leave
14 of absence for spinal fusion surgery?

15 A. At the end of 2015, yes.

16 Q. Yes. And that would have been your fourth leave of
17 absence from Microsoft?

18 A. Yes.

19 Q. Did you come back in February of 2016?

20 A. It was either the last week of January or first week
21 of February, so probably.

22 Q. Okay. And after your return, did you need to take
23 some additional time off to deal with some healing
24 problems that had developed?

25 A. Post February?

1 Ms. Somerville?

2 A. Yes. That was after his supervisor was Ms. Sandidge.

3 Q. The group in which you worked throughout your time at
4 Microsoft, has that typically been known as federal
5 solutions?

6 A. Uh-huh. Yes.

7 Q. And that's been true the -- throughout the entire
8 time you've worked there, correct?

9 A. Yes.

10 Q. And within federal solutions, the organization has
11 typically been focused on selling to the federal
12 government?

13 A. Yes.

14 Q. And that's been --

15 A. And the systems integrators.

16 Q. I have no idea what that means, so what is that?

17 A. We have some systems integrators that we categorize
18 as federal customers but they're not federal entities.

19 Q. Give me an example.

20 A. General Dynamics.

21 Q. Okay.

22 A. Lockheed Martin.

23 Q. All right. And --

24 A. Northrop Grumman.

25 Q. And is it generally correct within the organization

1 performance issues to my know -- you know, up to me,
2 so I -- I just don't know why you are treating me this
3 way."

4 And he got extremely defensive and said he
5 didn't know what I was talking about and I was wrong
6 and just kind of kept throwing things out and he said,
7 you know, he had made a comment -- I'm trying to
8 recall the exact comment. He had made a comment
9 about, he said that I -- he said, "Well, now that
10 you -- now that you mention it, over the past" -- I
11 forgot however many days he said, "you've been
12 disconnected." And I don't know what that meant, to
13 be honest with you. I didn't know if that meant
14 physically disconnected, mentally disconnected, I
15 didn't know what that meant and I didn't ask.

16 I just said, "Well, you know, I've been
17 really busy and, you know, I have also had a couple of
18 challenges going on with sick kids and" -- at the time
19 we had some very extreme weather in the D.C. area and
20 schools were closed, all schools were closed and so I
21 said, "You know, I've been kind of managing that as
22 well as my workload."

23 And he said, "Well, you can't be doing child
24 care during working hours," and so I went back to Nina
25 and said, "I think we have a problem."

1 A. Just that, you know, they -- they kept consistently
2 getting sick. It was just a really bad winter. Lots
3 of viruses and things going around.

4 Q. And what was the challenge with respect to schools
5 closing?

6 A. Well, if the schools were closed, then kids were
7 home, you know, during the day and there was no
8 alternative care.

9 Q. Did you have child care?

10 A. I did, but it was closed. It was a school and my
11 kids go to a preschool/day care type environment.
12 Actually, that reminds me, in that same conversation,
13 David suggested that -- or implied that I should get a
14 nanny. He said that --

15 Q. What did he say?

16 A. He said, well, you know -- I think he even mentioned
17 Noah, I know he mentioned Nina, but he said, Nina has
18 a nanny, you know, why don't you look at doing that
19 kind of thing or you should get a nanny and I said,
20 well, you know, I -- I choose -- it's not a decision
21 my husband and I have made for our child care for our
22 children.

23 Q. This statement that you can't be doing child care
24 during working hours, did you find that statement
25 inappropriate or offensive in any way?

1 MS. MIAZAD: Objection, it's calling for
2 speculation.

3 THE WITNESS: I really don't know.

4 Q. (BY MS. HERMLE) Well, what facts are you aware of
5 that suggest anyone solicited feedback that was
6 negative?

7 A. Because that feedback was, again, very outlandish and
8 not like the most of the other feedback I had received
9 and David wasn't willing to tell me who wrote it. And
10 I know that David was involved in helping solicit
11 negative feedback from other people in the
12 organization because I witnessed him telling someone
13 that and so when I saw it, my thought was that it was
14 also solicited.

15 Q. What was the solicitation by Mr. Walker that you
16 witnessed?

17 A. He had told [REDACTED] that [REDACTED] was going
18 to be sending him feedback requests for [REDACTED]
19 [REDACTED] and [REDACTED], and that he should make them
20 good. "Good" meaning negative.

21 Q. How did you know that "good" meant negative?

22 A. Because they were talking about how they were trying
23 to push out [REDACTED] and [REDACTED].

24 Q. Are those folks men?

25 A. Yes.

1 Q. So it's your belief that Mr. Walker was pushing out
2 [REDACTED] and [REDACTED]?

3 A. He wasn't, it was their manager.

4 Q. Which was who?

5 A. [REDACTED].

6 Q. But your belief was that Mr. Walker was assisting
7 [REDACTED] of pushing out these men by soliciting
8 negative feedback?

9 A. Based on what he said in front of me, which was,
10 "Hey, [REDACTED] is about to send you feedback requests
11 for [REDACTED] and [REDACTED], make sure they're good."

12 Q. And when was that?

13 A. I believe in 2014.

14 Q. Any connection with the review process?

15 A. Possibly 2013.

16 Q. Was this in connection with the review process?

17 A. Yes.

18 Q. And was it the annual review process for either 2013
19 or 2014?

20 A. I'm not sure.

21 Q. I don't believe I have that document, which is the
22 review, but I want to take you back to what you said
23 about requesting changes.

24 A. Uh-huh.

25 Q. So after you received this review, did you request a

1 change?

2 A. I spoke to Melinda about it. Because I called her
3 and told her that I felt that I was being retaliated
4 against and, you know, gave her the description of why
5 I felt that way and such and she, you know, asked for
6 all of the information. I forgot your initial
7 question, I'm sorry.

8 Q. I'm trying to -- are you getting tired?

9 A. No.

10 Q. Okay. Good. My question was about the process.

11 A. Uh-huh.

12 Q. Did you request that the review be changed?

13 A. Oh, yes. So in speaking to Melinda, you know, she
14 said that she would investigate the retaliation charge
15 and then I said well, what about my review, this is a
16 big deal, it has got negative information that's not
17 fair. She said, you can go ahead and request through
18 HR that that information be removed.

19 Q. Did you make such a request?

20 A. I did.

21 Q. Were there any changes made to the review?

22 A. There were. Initially.

23 Q. And what changes were made after you requested
24 changes be made?

25 A. David basically took the comment and just put it in

1 bullet form, and I wrote back again and said that I
2 didn't think that that was sufficient, that it still
3 gave a negative connotation as to my performance for
4 that year when I had not had any performance issues
5 for that year and he then went and edited them again.

6 Q. And what edits did he make that time?

7 A. He made edits that I felt were more in line with --
8 that were more fair.

9 Q. What edits were those?

10 A. Do you mean like specifically what were the words?

11 Q. What did he do to edit it?

12 A. He changed his wording so that it wasn't as negative.
13 It was more positive.

14 Q. After he changed it the second time to be more
15 positive, did you believe the review was fair?

16 A. I did.

17 Q. And was that the final version of the review?

18 A. Yes, that's the final version that I see when I log
19 in.

20 Q. And you're still able to log in and see that; is that
21 correct?

22 A. Yes.

23 Q. And you suggested when I asked you about him treating
24 you negatively that there were other instances or
25 occasions of unfair treatment after you raised

1 complaints, what other specific -- specifics are
2 there, what other unfair treatment occurred after you
3 raised complaints?

4 A. Well, he would -- he gave certain accounts to my male
5 counterparts that he knew I wanted and that had -- I
6 had a history with, so specifically the Army.
7 Normally managers would talk about that kind of
8 alignment, you know, with the people who would be
9 aligned and instead he just made the decision without
10 discussing it with at least myself.

11 Q. Did he explain to you why he gave the Army account to
12 someone other than you?

13 A. He did.

14 Q. What did he say?

15 A. He felt that [REDACTED] should have it because he has Air
16 Force and the Air Force aligns to the Army more.

17 Q. Did he say anything about you talking about having
18 a -- a heavy workload already?

19 A. Not that I recall.

20 Q. Did he say anything at all about your workload in
21 explaining why the Army account went to [REDACTED]?

22 A. Not in that context. When I complained that I wanted
23 the Army account, he said that -- to be honest, I'm
24 trying to recall the exact conversation, but he felt
25 the Army was bigger than joint but he doesn't --

1 I support, to those commands.

2 Q. So my question was, did the decision to assign the
3 Army to [REDACTED] impact your compensation?

4 MS. MIAZAD: Objection.

5 THE WITNESS: It may have because he was able
6 to be more successful.

7 Q. (BY MS. HERMLE) How did it -- I beg your pardon. How
8 did it impact your compensation?

9 MS. MIAZAD: Objection.

10 THE WITNESS: I don't know. I should not
11 speculate.

12 Q. (BY MS. HERMLE) Could you look at Exhibit 23 and
13 confirm for me that that is the -- has the final
14 version of the review that you considered to be fair,
15 and specifically if you could take a look at page
16 11022 about the positive impact to see if that helps,
17 Ms. Piermarini.

18 A. Yeah, I don't think this is it.

19 Q. Well, could you look on page 11 --

20 A. Oh, hold on, let me -- I'm sorry. Let me now see.
21 Yes, this -- this is it, this is what was edited and
22 became the final.

23 Q. And what page are you looking at that lets you to --
24 to understand this was the final fair version of the
25 review?